

## SECTION 3.1.7 CAMPAIGNS FOR OFFICE

### (A) Definitions

- (1) As used herein, the term "person" shall refer to any natural person, firm, corporation, partnership, union, association, organization, political committee or campaign, governmental entity, trust, educational institution, financial institution, or any other entity, however constituted.
- (2) As used herein, the term "Chapter 55" shall refer to Chapter 55 of the Massachusetts General Laws and those regulations promulgated pursuant thereto, as the same may be amended from time to time.
- (3) As used herein, the terms "candidate," "candidate's committee," "contribution," and "expenditure" shall have the same meanings ascribed to said terms in Chapter 55, unless the context in which such term is used indicates otherwise.
- (4) As used herein, the term "State Campaign Finance Report" shall refer to a report required to be filed by a candidate or candidate's committee under Chapter 55.
- (5) Should any ambiguity arise regarding any term not expressly defined herein, that term shall be construed consistently with the manner in which it is used in Chapter 55, unless the context in which it is used herein indicates otherwise.

### (B) Campaign Finance Reports

On or before the fifteenth day preceding the Annual Town Election, and at the time of filing of any State Campaign Finance Report, each candidate for the office of Selectman shall file with the Town Clerk a Town Campaign Finance Report on a form prescribed by and made available to candidates by the Town Clerk. The reporting periods for the Town Campaign Finance Report shall be as indicated in the following table.

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#### **Reporting periods for Town Campaign Finance Report**

<u>Report due by</u>	<u>Reporting period begins</u>	<u>Reporting period ends</u>
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15 days before Town election	<u>Candidates of have previously filed reports:</u> Day after end of reporting period for last State report filed. Candidates filing initial reports: Day after previous Town Election	25 days before Town Election
8 days before Town election	Day after end of reporting period for last report filed	18 days before Town election
30 days after Town election	Day after end of reporting period for last report filed	20 days after Town election
January 20 of year after Town election	Day after end of reporting period for last report filed	Last day of year of Town election

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The Town Campaign Finance Report shall be substantially in the same format and require the same information as that required by the State Campaign Finance Report. It shall also require the following information:

(1) the full name, listed alphabetically, of each person whose contribution or aggregate contributions within the reporting period equal an amount or value greater than \$50 but less than \$200, together with the aggregate amount of each such person's contributions and the occupation and the name of the employer or employers of each such person; provided, however, that no candidate shall be required to include such occupation and employer if said candidate or a candidate's committee organized on his or her behalf has been unable to obtain such information after requesting it when soliciting a contribution.

(2) the total number of contributors of \$50 or less.

#### (C) Publication of Campaign Finance Reports

Each campaign finance report filed with the Town Clerk pursuant to Chapter 55 and this By-Law shall be posted by the Town Clerk on the Town website within two business days of its filing. Any failure to file such a report on a timely basis shall likewise be posted by the Town Clerk on the Town website within one business day of the date by which it should have been filed.

#### (D) Provision of Information to Candidates by Town Clerk

The Town Clerk shall provide each candidate for the office of Selectman with a copy or written summary of the requirements and restrictions pertaining to campaigns for the office of Selectman prescribed by Chapter 55 and this By-Law. Said copy or written summary shall state that the requirements, restrictions, and other provisions of this By-Law are additional to those of Chapter 55. It shall be provided by the Town Clerk to incumbents and known challengers within thirty days of the effective date of this Article and, thereafter, within fourteen days of the filing of a statement of organization by a candidate's committee organized on behalf of new candidates pursuant to Chapter 55.

(E) Interpretation

- (1) The requirements, restrictions, and other provisions set forth in this By-Law are intended to be in addition to all requirements, restrictions, and other provisions set forth in Chapter 55 and other applicable provisions of the constitutions, laws, and regulations of the United States and of the Commonwealth.
- (2) The provisions of this By-Law are intended to be interpreted in such a way as to make them conformable to the constitutions and laws of the United States and of the Commonwealth and enforceable to the maximum extent permitted by law.

(F) Severability

Each provision of this By-Law shall be construed as separate to the extent that if any section, sentence, clause, or phrase is held to be invalid for any reason, the remainder of the By-Law shall continue in full force and effect.

(E) Committee on Campaigns

- (1) There shall be a Committee on Campaigns consisting of seven members: the Town Clerk or his designee; an appointee of the Board of Selectmen who may be a member of the Board; and five Brookline residents appointed by the Moderator for three-year staggered terms. No holder of or candidate for the office of Selectman shall be eligible for appointment by the Moderator to the committee. Should any individual vacate his office as committee member, the applicable appointing authority shall appoint another individual to fill his or her unexpired term.

(2) The responsibilities of said committee shall include the following:

- (a) analyzing information provided on campaign finance reports filed by candidates for Town office pursuant to Chapter 55 and this By-Law;
- (b) publicly reporting such information and the results of such analysis;
- (c) considering and recommending to Town Meeting measures that may be taken by the Town to improve upon this By-Law and ensure its effective implementation, and to establish a system of electronic reporting and accessible electronic posting of campaign finance information;
- (d) considering additional measures that may be taken by the Town to improve the process by which Town officials are elected;
- (e) examining the feasibility and potential parameters of a system of public financing with respect to campaigns for Town office.

(3) Additional activities that may be undertaken by the Committee include, but are not limited to, the following: receiving public comment and conducting public forums concerning the process by which Town officials are elected; providing vehicles for publicizing, and working with local media to publicize, information concerning elections and candidates for Town office; and examining the relationship between campaign finance and appointments to Town boards and commissions.